

## Officer Vacancy and Nominations from the Floor – Excerpts

In accordance with Bylaws provision 8.5, APCO is required to conduct an election for the incoming First Vice-President (1VP) and Second Vice-President (2VP). Regarding the former, the unfortunate and untimely death of Mark Spross means “there are no eligible candidates” for incoming 1VP. Pursuant to Bylaws provision 9.5(b) such a vacancy (after April 1) should be filled at “the next regular election of officers.” On that basis, PM 6.4, subsec 7, describes the remedy where “it becomes necessary to accept nominations from the floor at the Annual Conference.”

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### Bylaws – excerpts

Section 8.5 Succession and Election. The First Vice-President shall automatically succeed to the office of President. The incoming First Vice-President and Second Vice-President shall be elected by a simple majority vote of the Association’s members casting ballots in accordance with procedures established by the Board of Directors.

Section 9.5 Vacancies. A vacancy in the office of President or First Vice-President, other than a temporary vacancy expected to last less than ninety (90) days, shall be filled by advancement-in-rank by the next lower ranking elected officer. Such advancement-in-rank shall be in an “Acting” capacity.

- (a) A vacancy in either the office of Second Vice-President or Immediate Past President, other than a temporary vacancy expected to last less than ninety (90) days, shall be filled by an appointment made by the President. Such appointment shall be subject to review and approval as follows: i) certification by the Credentials Committee that the appointee satisfies the eligibility requirements for service on the Executive Committee; ii) confirmation by the remaining members of the Executive Committee; and iii) ratification by the Board of Directors.
- (b) A vacancy in the offices of President, First Vice-President, Second Vice-President or Immediate Past President that occurs after April 1 or otherwise is expected to last less than ninety (90) days may be left vacant until the next regular election of officers or the return of the currently elected officer. Such decision to leave the office vacant shall require a majority vote of the remaining members of the Executive Committee with prompt notice provided to the full Board of Directors.

### PM 6.4 – excerpts

- 7. In the event that there are no eligible candidates for an office, and it becomes necessary to accept nominations from the floor at the Annual Conference, then the following procedure shall be followed.
  - 7.1 To the extent that it is known that there are no eligible candidates prior to the beginning of the Annual Conference, the Executive Committee of the Board shall advertise this fact to the membership through notices in the official APCO magazine and by such other means they may find appropriate to generate an interest amongst the general membership for someone to declare their candidacy.
  - 7.2 The President shall make an announcement during the opening event of the Annual Conference that nominations will be accepted from the floor during the First General Business Meeting.
  - 7.3 During the First General Business Meeting, the President shall open the floor for nominations. Each nomination shall require the individual to declare an intent to seek office.

- 7.3.1 A member of the Annual Quorum shall make a motion nominating the individual for the specified office and such motion shall be seconded. The Annual Quorum shall not vote on the nomination.
- 7.3.2 The member shall be permitted to address the members of the Association during the First General Business Meeting in accordance with the Officer Election Procedures of this Policy Manual.
- 7.4 The Executive Committee of the Board shall cause the member's name to be added to the ballots used during the balloting period at the Annual Conference. Providing a place to "write-in" the candidate's name on the ballot together with providing appropriate instructions on how to cast such a "write-in" ballot shall be interpreted as satisfying this requirement.
- 7.5 Immediately following the First General Business Meeting, the Credentials Committee shall meet individually with any members nominated from the floor to ascertain their eligibility to declare their candidacy.
  - 7.5.1 Candidates nominated from the floor must satisfy the requirements of the Association's Bylaws and this Section.
  - 7.5.2 Candidates nominated from the floor must complete and submit all candidacy documents prior to the start of the Second General Business Meeting. Failure to do so will result in the candidate being declared ineligible and any votes cast for that member will not be counted. In this instance, candidates will be permitted to submit a facsimile copy of the document as evidence of their employer's support, however, will be required to submit a properly notarized copy with an original signature within thirty (30) days after the closing of the Annual Conference.
  - 7.5.3 If the applicant is found to be unqualified, the Chair of the Credentials Committee shall so notify the member. The Committee Chair also shall notify the Executive Committee of the Board and the Executive Director that the member is not qualified. In this instance, any votes cast for the member during the balloting period shall not be counted.
  - 7.5.4 If the applicant is found to be qualified, the Chair of the Credentials Committee shall so notify the member. The Committee Chair also shall notify the Executive Committee of the Board and the Executive Director stating that the member is qualified to declare their candidacy for the indicated office. In this instance, any votes cast for the member during the balloting period shall be counted.